

Montana Department of Natural Resources and Conservation  
Water Resources Division  
Water Rights Bureau

**ENVIRONMENTAL ASSESSMENT**  
**For Routine Actions with Limited Environmental Impact**

**Part I. Proposed Action Description**

1. *Applicant/Contact name and address:* MOL LLP  
PO BOX 747  
HAMILTON, MT 59840-0747
2. *Type of action:* WATER USE PERMIT APPLICATION 76H-30026378
3. *Water source name:* GROUNDWATER
4. *Location affected by project:* SWSW SECTION 29, T6N, R20W, RAVALLI CO.
5. *Narrative summary of the proposed project, purpose, action to be taken, and benefits:*  
THIS APPLICATION IS FOR PERMIT TO DIVERT GROUNDWATER FROM TWO MANIFOLD WELLS AT A COMBINED MAXIMUM FLOW RATE OF 400 GPM TO ACCOMMODATE THE COMMUNITY WATER NEEDS OF THE DALY ESTATES SUBDIVISION IN RAVALLI COUNTY. THE WELLS WILL USE VARIABLE SPEED DRIVE PUMPS TO PROVIDE THE DALY ESTATES SUBDIVISION WITH MULTIPLE DOMESTIC AND LAWN/GARDEN IRRIGATION WATER. AT FINAL BUILD-OUT, THE SUBDIVISION WILL CONSIST OF 60 LOTS. THE NORMALIZED FLOW RATE FOR DOMESTIC USE IS 350 GALLONS PER DAY PER LOT. THE NORMALIZED FLOW RATE FOR IRRIGATION DURING THE IRRIGATION SEASON IS 105,463 GALLONS PER DAY.  
  
THE DNRC SHALL ISSUE A WATER USE PERMIT IF AN APPLICANT PROVES THE CRITERIA IN 85-2-311, MCA ARE MET.
6. *Agencies consulted during preparation of the Environmental Assessment:  
(include agencies with overlapping jurisdiction)*  
  
NRIS WEBSITE FOR WATER AND NOXIOUS WEED INFORMATION  
MONTANA NATURAL HERITAGE PROGRAM FOR THREATENED AND ENDANGERED PLANT AND ANIMAL INFORMATION  
STATE OF MONTANA HISTORICAL PRESERVATION OFFICE FOR CULTURAL INFORMATION  
NRCS SOIL SURVEY FOR RAVALLI COUNTY FOR SOILS INFORMATION

## **Part II. Environmental Review**

### **1. Environmental Impact Checklist:**

<b>PHYSICAL ENVIRONMENT</b>
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#### **WATER QUANTITY, QUALITY AND DISTRIBUTION**

**Water quantity** - *Assess whether the source of supply is identified as a chronically or periodically dewatered stream by DFWP. Assess whether the proposed use will worsen the already dewatered condition.*

*Determination:* SEE GROUNDWATER SECTION BELOW.

**Water quality** - *Assess whether the stream is listed as water quality impaired or threatened by DEQ, and whether the proposed project will affect water quality.*

*Determination:* SEE GROUNDWATER SECTION BELOW.

**Groundwater** - *Assess if the proposed project impacts ground water quality or supply. If this is a groundwater appropriation, assess if it could impact adjacent surface water flows.*

*Determination:* NO SIGNIFICANT IMPACTS.

THE APPLICANT PROVIDED AN AQUIFER TEST REPORT TO IDENTIFY AND DESCRIBE THE IMPACTS OF THE PROPOSED DIVERSION TO GROUNDWATER SUPPLY AND TO SURFACE WATER SUPPLY. DNRC HYDRO-GEOLOGISTS REVIEWED THE AQUIFER TEST REPORT FOR ADEQUACY. THE DNRC HYDRO-GEOLOGISTS REVIEW SHOWED THAT THE REPORT DID CONFORM TO REQUIRED STANDARDS.

THE APPLICANT INDICATED THAT THE IMPACTS TO GROUNDWATER DIVERSIONS WITHIN 2400 FEET WOULD LIKELY EXPERIENCE IMPACTS FROM 7.25 FEET TO 0.5 FEET OF DRAWDOWN AT THE END OF THE IRRIGATION SEASON. DIVERSIONS FURTHER FROM THE PROPOSED PROJECT WELLS WOULD LIKELY EXPERIENCE DRAWDOWN LESS THAN 0.5 FEET.

THE APPLICANT PROVIDED INFORMATION TO SHOW THAT THE AMOUNT OF WATER BEING REQUESTED IS LESS THAN THE AMOUNT OF WATER MOVING THROUGH THE ZONE OF INFLUENCE.

THE APPLICANT PROVIDED INFORMATION TO SHOW THAT PUMPING THE TWO PROPOSED PROJECT WELLS WOULD HAVE AN IMPACT TO THE BITTERROOT RIVER. APPLICANT STATED IN THEIR APPLICATION THAT A MITIGATION PLAN INTENDED TO AUGMENT ANY SURFACE WATER DEPLETIONS WOULD BE SUBMITTED TO THE DNRC.

**DIVERSION WORKS** - *Assess whether the means of diversion, construction and operation of the appropriation works of the proposed project will impact any of the following: channel impacts, flow modifications, barriers, riparian areas, dams, well construction.*

*Determination:* NO SIGNIFICANT IMPACTS.

THE APPLICANT PROVIDED TWO WELL LOGS THAT REPRESENT THE TWO PROJECT WELLS. ONE WELL IS CONSTRUCTED TO A DEPTH OF 200 FEET WITH AN 8-INCH CASING. THE STATIC WATER LEVEL IS 51 FEET. THIS WELL WAS TESTED AT 450 GPM. A 40 HP VARIABLE SPEED PUMP WILL BE SET IN THIS WELL. THE SECOND WELL IS CONSTRUCTED TO A DEPTH OF 198 FEET WITH A 10-INCH CASING. THE STATIC WATER LEVEL OF THE SECOND WELL IS 53 FEET. THIS WELL WAS TESTED AT 600 GPM. A 50 HP VARIABLE SPEED PUMP WILL BE SET IN THIS WELL. A LICENSED WELL DRILLER CONSTRUCTED THE TWO PROJECT WELLS.

**UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES**

**Endangered and threatened species** - *Assess whether the proposed project will impact any threatened or endangered fish, wildlife, plants or aquatic species or any “species of special concern,” or create a barrier to the migration or movement of fish or wildlife. For groundwater, assess whether the proposed project, including impacts on adjacent surface flows, would impact any threatened or endangered species or “species of special concern.”*

*Determination:* NO SIGNIFICANT IMPACTS.

THE MONTANA NATURAL HERITAGE PROGRAM RESPONDED TO THE DEPARTMENT’S REQUEST FOR INFORMATION ON SPECIES OF SPECIAL CONCERN WITH THE FOLLOWING:

THE USFS AND USBLM SENSITIVE TOWNSEND’S BIG-EARED BAT IS IDENTIFIED IN THE VICINITY OF THE PROPOSED PROJECT.

THE OLIVE-SIDED FLYCATCHER, A STATE CHAMPION TREE, LEWIS’S WOODPECKER AND THE PALISH SAGE IS IDENTIFIED IN THE VICINITY OF THE PROPOSED PROJECT.

THE USFWS AND USFS THREATENED AND USBLM SPECIAL STATUS BULL TROUT IS IDENTIFIED IN THE BITTERROOT RIVER, WHICH IS APPROXIMATELY 1.5 MILES WEST OF THE PROJECT AREA.

THE USFWS LT. PDL, USFS THREATENED AND USBLM SPECIAL STATUS BALD EAGLE IS IDENTIFIED IN THE VICINITY OF THE PROPOSED PROJECT.

**Wetlands** - Consult and assess whether the apparent wetland is a functional wetland (according to COE definitions), and whether the wetland resource would be impacted.

*Determination:* NO SIGNIFICANT IMPACTS.

THERE ARE NO WETLANDS IN THE VICINITY OF THE PROPOSED PROJECT THAT WOULD BE AFFECTED.

**Ponds** - For ponds, consult and assess whether existing wildlife, waterfowl, or fisheries resources would be impacted.

*Determination:* NO SIGNIFICANT IMPACTS.

THERE ARE NO PONDS IN THE VICINITY OF THE PROPOSED PROJECT THAT WOULD BE AFFECTED.

**GEOLOGY/SOIL QUALITY, STABILITY AND MOISTURE** - Assess whether there will be degradation of soil quality, alteration of soil stability, or moisture content. Assess whether the soils are heavy in salts that could cause saline seep.

*Determination:* NO SIGNIFICANT IMPACTS.

THE CHANGE FROM AGRICULTURE TO RESIDENTIAL IS EXPECTED TO HAVE LITTLE AFFECT TO SOIL QUALITY.

**VEGETATION COVER, QUANTITY AND QUALITY/NOXIOUS WEEDS** - Assess impacts to existing vegetative cover. Assess whether the proposed project would result in the establishment or spread of noxious weeds.

*Determination:* NO SIGNIFICANT IMPACTS.

THE AREA OF THE PROPOSED PROJECT IS CLEARED AND THE PREVIOUS AGRICULTURAL VEGETATION WILL BE DEVELOPED INTO A RESIDENTIAL SUBDIVISION WITH PAVED STREETS AND LANDSCAPED RESIDENTIAL LOTS.

**AIR QUALITY** - Assess whether there will be a deterioration of air quality or adverse effects on vegetation due to increased air pollutants.

*Determination:* NO SIGNIFICANT IMPACTS.

OTHER THAN THE USUAL IMPACTS TO AIR QUALITY AS A RESULT OF CONSTRUCTION ACTIVITIES, NO OTHER IMPACTS TO AIR QUALITY ARE EXPECTED.

**HISTORICAL AND ARCHEOLOGICAL SITES** - Assess whether there will be degradation of unique archeological or historical sites in the vicinity of the proposed project.

*Determination:* NO SIGNIFICANT IMPACTS.

THE STATE HISTORICAL PRESERVATION OFFICE RECOMMENDS THAT DUE TO THE GROUND DISTURBANCE ALREADY COMPLETED, THAT NO CULTURAL INVENTORY IS WARRANTED.

**DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AND ENERGY** - *Assess any other impacts on environmental resources of land, water and energy not already addressed.*

*Determination:* NO SIGNIFICANT IMPACTS.

## HUMAN ENVIRONMENT

**LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS** - *Assess whether the proposed project is inconsistent with any locally adopted environmental plans and goals.*

*Determination:* NO SIGNIFICANT IMPACTS.

THE PROPOSED PROJECT IS REQUIRED TO GAIN SUBDIVISION APPROVAL FROM THE RAVALLI COUNTY COMMISSIONERS AND PUBLIC WATER SUPPLY APPROVAL FROM THE MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY.

**ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES** - *Assess whether the proposed project will impact access to or the quality of recreational and wilderness activities.*

*Determination:* NO IMPACTS.

THE PROPOSED PROJECT WILL NOT CREATE BARRIERS TO ACCESS TO RECREATIONAL OR WILDERNESS ACTIVITIES.

**HUMAN HEALTH** - *Assess whether the proposed project impacts on human health.*

*Determination:* NO IMPACTS.

NO HUMAN HEALTH ISSUES ARE IDENTIFIED AS A RESULT OF THE PROPOSED PROJECT.

**PRIVATE PROPERTY** - *Assess whether there are any government regulatory impacts on private property rights.*

Yes\_\_\_ No X\_\_\_ *If yes, analyze any alternatives considered that could reduce, minimize, or eliminate the regulation of private property rights.*

*Determination:* NO SIGNIFICANT IMPACTS.

**OTHER HUMAN ENVIRONMENTAL ISSUES** - For routine actions of limited environmental impact, the following may be addressed in a checklist fashion.

*Impacts on:*

- |  |       |
|--|-------|
| (a) <u>Cultural uniqueness and diversity?</u>                                | NONE  |
| (b) <u>Local and state tax base and tax revenues?</u>                        | MINOR |
| THE ADDITION OF 60 RESIDENTIAL LOTS WILL INCREASE TAX BASE AND TAX REVENUES. |       |
| (c) <u>Existing land uses?</u>   | MINOR |
| AGRICULTURAL LANDS ARE CHANGING TO RESIDENTIAL.                              |       |
| (d) <u>Quantity and distribution of employment?</u>                          | NONE  |
| (e) <u>Distribution and density of population and housing?</u>               | MINOR |
| (f) <u>Demands for government services?</u>                                  | MINOR |
| (g) <u>Industrial and commercial activity?</u>                               | NONE  |
| (h) <u>Utilities?</u>  | MINOR |
| (i) <u>Transportation?</u>   | MINOR |
| (j) <u>Safety?</u>   | MINOR |
| (k) <u>Other appropriate social and economic circumstances?</u>              | MINOR |

**2. *Secondary and cumulative impacts on the physical environment and human population:***

Secondary Impacts    NONE IDENTIFIED

Cumulative Impacts    NONE IDENTIFIED

**3. *Describe any mitigation/stipulation measures:***    THERE ARE NO MITIGATION/STIPULATION MEASURES IDENTIFIED FOR THE PROPOSED ACTION.

**4. *Description and analysis of reasonable alternatives to the proposed action, including the no action alternative, if an alternative is reasonably available and prudent to consider:***    THE NO ACTION ALTERNATIVE IS THE ONLY ALTERNATIVE TO THE PROPOSED ACTION. UNDER THE NO ACTION ALTERNATIVE, THE APPLICANT WOULD BE UNABLE TO OBTAIN A WATER RIGHT FOR THE PROPOSED RESIDENTIAL SUBDIVISION.

*PART III. Conclusion*

**1. Preferred Alternative**

**2 Comments and Responses**

**3. Finding:**

*Based on the significance criteria evaluated in this EA, is an EIS required?*

*Yes\_\_\_ No\_X\_\_*

*If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action:* AN EA IS THE APPROPRIATE LEVEL OF ANALYSIS FOR THIS PROPOSED ACTION BECAUSE NO SIGNIFICANT IMPACTS HAVE BEEN IDENTIFIED AS A RESULT OF THE PROPOSED ACTION.

*Name of person(s) responsible for preparation of EA:*

*Name:* PATRICK RYAN  
*Title:* WATER RESOURCE SPECIALIST  
*Date:* MARCH 23, 2007